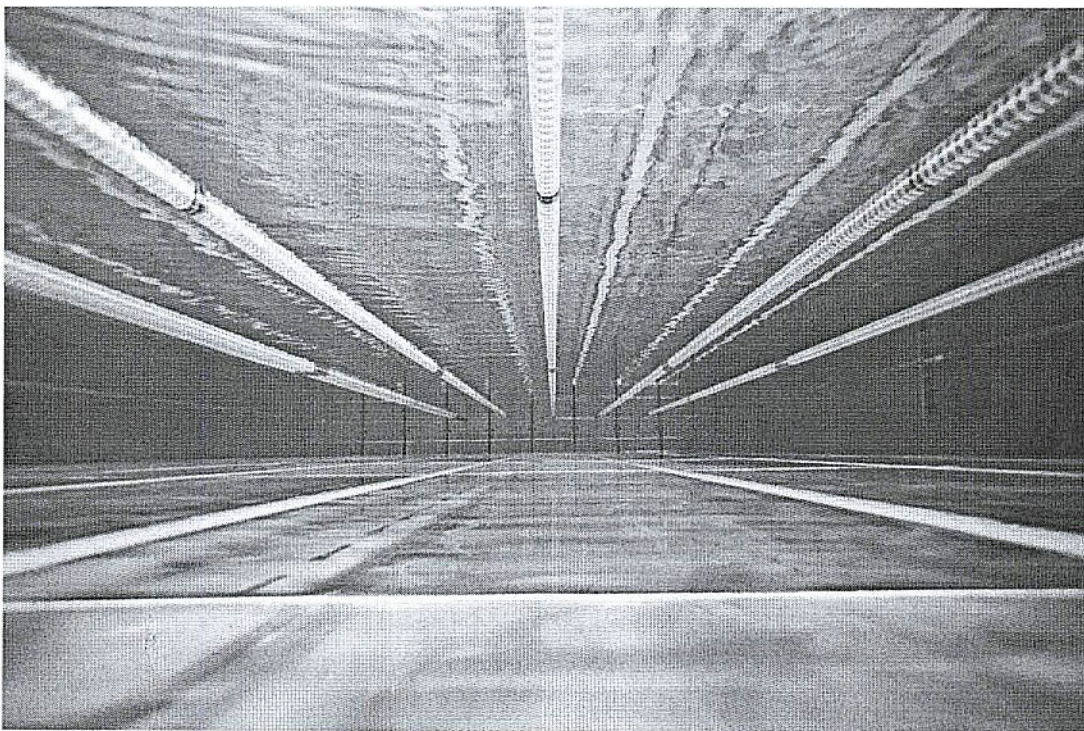


EXHIBIT 6



25 Organizations Join WSF Letter to NCAA Regarding Transgender Athlete Participation Policy



Published on March 22nd, 2022

On January 19, 2022 the NCAA announced a change to their Transgender Athlete Participation Policy, that had been in place since 2011. Subsequently, on January 27, 2022, the NCAA released additional information regarding the implementation of this new policy.

The WSF sent the below letter, joined by 25 organizations, to the NCAA Committee on Competitive Safeguards and Medical Aspects of Sport and the NCAA Office of Inclusion. This letter voices concern about the process under which this new policy was reviewed and implemented and the process that transgender athletes must now follow in order to compete. It also outlines



WSF appreciates the organizations that signed on and their commitment to speaking out about this important issue. We are committed to inclusion and access for all student-athletes.

February 15, 2022

NCAA Committee on Competitive Safeguards and Medical Aspects of Sport c/o
Dr. Brian Hainline
NCAA Office of Inclusion c/o Dr. Amy Wilson
cc: Dr. Mark Emmert, Carrie Van Sensus, Anne Rohlman

Sent via email

Dear NCAA Committee on Competitive Safeguards and Medical Aspects of
Sport and Office of Inclusion:

We the undersigned are writing today to express our concerns about the process and content of the newly adopted NCAA Transgender Athlete Participation Policy.

The policy adopted and implemented on January 19, 2022 is unprecedented in both process and timeline. To many, this policy change appears to be in direct reaction to mounting public pressure around the success of one particular NCAA athlete (who is participating and succeeding under NCAA standards). However, this is an association-wide policy and there are likely other athletes in several sports who have now had their eligibility requirements changed mid-year and perhaps even mid-season.

Instead of a rushed implementation, an updated policy should have been adopted based on the input of various stakeholders after the conclusion of a thoughtful process and review that was already underway. Further, the timing and effective date of the policy change should have considered the impact on all current and future NCAA student-athletes. As such, we would like to draw your attention to our immediate concerns and questions.

- This policy defers criteria for participation to the sport National Governing Bodies (NGB) or International Federations (IF), which leaves the NCAA and, more importantly, transgender student-athletes, subject to the timing of NGB/IF policy changes. Thus, there is a strong need for the NCAA to establish a process for reviewing and implementing (or



interpretation of NGB guidelines for winter sports on January 27 but USA Swimming released new guidelines for swimming on February 1, all in the middle of the swimming season. We understand the NCAA announced on February 10, 2022 that there would be no additional changes to the policy for the 2022 women's swimming and diving championships, thus keeping the January 27 guidelines in place. The timing of these announcements and the uncertainty that ensued underscores the need for a standardized timeline and review process for establishing participation criteria across all sports.

- At full implementation of this policy (Phase 3), the policy states that "Beginning Aug. 1, 2023, participation in NCAA sports requires transgender student-athletes to provide documentation that meets the sport-specific standard submitted twice annually (once at the beginning of competition season and the second six months following) for one year." Is it the NCAA's intention for this to be interpreted to mean an athlete must be fully eligible for participation in the sport as governed by the NGB/IF, inclusive of suppression timeframes, potential surgery requirements, and even a subjective review by a panel of individuals selected by the NGB/IF
- If this is indeed the case, we find this alarming and counter to the NCAA principles of fairness and inclusion. The NCAA has been a leader over the past decade, providing a pathway to participation for transgender athletes so that they may reap the benefits of sports alongside their cisgender peers. This updated policy which defers participation guidelines to NGBs/International Federations and the IOC, relinquishes almost all control of these policies.

We implore the NCAA to adopt minimum standards for the participation of transgender athletes, these standards should:

1. Provide a guaranteed pathway to inclusion (i.e. rejecting policies from an NGB or IF that are strict bans on trans women competing in women's sports such as exists with World Rugby).
2. Reflect a sound deliberative process that includes meaningful consultation with affected athletes and stakeholders and a timeline for periodic review.
3. Impose no requirement for surgical intervention. For example, as we understand their policy, the United States Golf Association (USGA) still requires trans women to undergo reassignment surgery. Surely, it is not the NCAA's intention to place such a burdensome, unnecessary, and antiquated requirement on its student-athletes.



required one year of suppression which was in alignment with the research at the time the policy was adopted and also allowed for student athletes to still have the potential to utilize their four years of eligibility in five years as would be the case for athletes who choose to red shirt for a season.

While the NCAA asserts the need to align with the USOPC and IOC system because "approximately 80% of U.S. Olympians are either current or former college athletes" the truth remains that the vast majority of NCAA athletes are not Olympians and, in fact, "go pro in something other than sports." The NCAA promotes and supports the educational opportunities of sport and we urge you to ensure that opportunity exists for transgender student-athletes.

At this time, it seems the rushed implementation of this policy has prompted more questions than answers. We request that you carefully consider these questions, concerns, and suggestions as you continue to roll-out and fine-tune the new policy. Please also consider the impact on athletes across a variety of sports who are being directly impacted by these policy changes mid-year and in some cases, mid-season.

We thank you for your attention to this matter and are available should you wish to utilize the expertise of those organizations who have signed onto this letter.

Sincerely,

Women's Sports Foundation

American Atheists

Athlete Ally

Autistic Women & Nonbinary Network

Carroll's LGBTI Sports consultant Business

COLAGE

Equality Federation

Freedom for All Americans

Gender Justice

GLAAD

GLSEN

Human Rights Campaign

Legal Momentum, the Women's Legal Defense and Education Fund

Movement Advancement Project (MAP)

National Black Justice Coalition

National Center for Lesbian Rights

National Center for Transgender Equality

National Education Association

National LGBTQ Task Force

25 Organizations Join WSF Letter to NCAA Regarding Transgender Athlete Participation Policy - Women's Sports Foundation



The Inclusion Playbook
The Trevor Project
TransAthlete.com
Women's Law Project

 [Share This](#)

 [Print](#)

Keep being inspired.
Subscribe to our newsletter.

GO!